

LYNN & CAHILL LLP

MEMO ENDORSED

BY FAX (212) 805-7949
Hon. P. Kevin Castel
United States District Judge
United States Courthouse
500 Pearl Street, Room 2260
New York, New York 10007

Re: *Witkin v. Witkin-Marcus*, 08-CV-1207 (PKC)

Dear Judge Castel:

We represent the plaintiff, Nadine Witkin, in this action. The parties to this action are scheduled to have a status conference with the Court next Tuesday, July 15, at 9:30 a.m., concerning the defendant's request to file a motion to dismiss. The purpose of this letter to respectfully request an adjournment of the conference. We represent Sotheby's, Inc., which is a key nonparty witness in *Bakalar v. Vavra*, 05 Civ. 3037 (WHP), which is scheduled to be tried before the Honorable William H. Pauley next week. It appears increasingly likely that Sotheby's representative will be testifying on Tuesday morning. Although I will not know for certain until Monday, I do not want to run the risk of a scheduling conflict. I therefore respectfully request that the conference be adjourned to a date that is convenient to the Court.

There have been no previous requests for the adjournment of the conference, and the adjournment will not affect any other scheduled dates in the case. Defendant's counsel consents to this request.

Respectfully,

John R. Cahill
John R. Cahill

cc: Robert Fryd, Esq. (by e-mail)
Donna Levinsohn, Esq. (by e-mail)

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July 10, 2008

*Conference adjourned
from July 15 to
August 8, 2008 at 10:15 a.m.*

*SO ORDERED
[Signature]
USPJ
7-11-08*